



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/577,638

04/28/2006

Ryoji Hanada

438675053

5412

24978 7590 09/25/2008

GREER, BURNS & CRAIN
300 S WACKER DR
25TH FLOOR
CHICAGO, IL 60606

EXAMINER

KNABLE, GEOFFREY L

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

09/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/577,638	Applicant(s) HANADA ET AL.	
	Examiner Geoffrey L. Knable	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/28/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 1791

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Keefe, Jr. (US 3,276,930).

Keefe, Jr. discloses forming a “primary” tire carcass (10) and a belt/tread assembly (28) followed by transferring the belt/tread to the outer side of the primary tire carcass using a transfer apparatus (34 - e.g. fig. 2) and pressure bonding the assembly. Further, the transfer apparatus (34) is configured such that the center portion includes parts that are unconstrained while held at the sides - note esp. the spaces radially above the tread (i.e. between the tread and the parts “34”) in fig. 2. A process as required by claim 1 is therefore anticipated.

As to claims 2 and 6, note that the part “34” is formed from plural segments with an inner surface curved consistent with the claims. As to claims 3 and 7, the ribbed surface of parts “34” form “braces”. As to claims 4-5 and 8-9, the ribbed inner surface of parts “34” form divided holding members consistent with the claims.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Henley (US 3,475,254).

Henley discloses forming a “primary” tire carcass (on drum “1”) and a belt/tread assembly (on drum “2”) followed by transferring the belt/tread to the outer side of the primary tire carcass using a transfer apparatus (3) and pressure bonding the assembly.

Art Unit: 1791

Further, the transfer apparatus (3) is configured such that the center portion of the tread is unconstrained while held at the sides - note esp. the space radially above the tread (i.e. between the tread and the part "311") in figs. 7 and 29. A process as required by claim 1 is therefore anticipated.

4. Claims 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumagai et al. (US 4,584,050).

Kumagai et al. discloses a transfer apparatus including plural holding members (60) with divided holding surfaces (84/86) having a width that can be defined consistent with that claimed (i.e. a tread/belt width can be defined such that the claimed ratio is met - the claims are directed solely to the apparatus). Although these members (84/86) are not actually designed to engage/hold a tread, they are capable of such contact, these claims directed solely to the apparatus.

5. Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Holroyd et al. (US 5,201,975).

As to claim 6, Holroyd et al. discloses a transfer apparatus (6) including plural holding members (7-10) with a curved inner surface (figs. 2-3). As to claim 7, the ribbed surface of parts (6) form "braces". As to claims 8-9, the ribbed inner surface of parts "6" also form divided holding members consistent with the claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

Art Unit: 1791

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Geoffrey L. Knable/
Primary Examiner, Art Unit 1791

G. Knable
September 22, 2008